

MICHAEL A. HERNANDEZ,
Petitioner,
V.
STATE OF NEBRASKA
DEPARTMENT OF CORRECTIONS,
and SCOTT FRAKES, Director,
Respondents.

MEMORANDUM AND ORDER

While “prisoners have a constitutional right of access to the courts,” *Bounds*, 430 U.S. at 821, the right is only violated if the prisoner has suffered an “actual

injury” by way of an official action that hindered his or her pursuit of a “nonfrivolous” or “arguable” underlying legal claim. [Lewis, 518 U.S. at 353 & 353 n. 3.](#)

Petitioner has not alleged that any of the prison-officials erected any unreasonable barrier that prevented him from pursuing or defending a legal matter. In fact, Petitioner admits he is allowed three hours per week in the law library. Also, Petitioner has not alleged that he was impeded from pursuing a nonfrivolous legal claim.

IT IS THEREFORE ORDERED that Petitioner’s “Motion for Order” (Filing No. [12](#)) is denied.

DATED this 6th day of June, 2016.

BY THE COURT:

Richard G. Kopf

Senior United States District Judge